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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/505,419	08/24/2004	Naomi Noda	120881	7575
25944 7590 06/24/2009 OLIFF & BERRIDGE, PLC P.O. BOX 320850 ALEXANDRIA, VA 22320-4850				
EXAMINER				
NGUYEN, CAM N				
ART UNIT		PAPER NUMBER		
1793				
MAIL DATE		DELIVERY MODE		
06/24/2009		PAPER		

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/505,419

Applicant(s)

NODA ET AL.

Examiner

Cam N. Nguyen

Art Unit

1793

Period for Reply -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 04/27/09 (an RCE/amendment/response).
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 21-40 is/are pending in the application.
- 4a) Of the above claim(s) 31-40 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 21-30 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/003)
- 4) ☐ Interview Summary (PTO-413)
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____
- Paper No(s)/Mail Date _____

DETAILED ACTION

Status of Continued Examination Application (RCE)

1. A request for continued examination (RCE) under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after the final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicants' submission filed on 04/27/09 has been entered.

Response to Amendment

2. The amendment filed on 04/27/09 has been made of record and entered. Claims 1-20 have previously been canceled. Claims 21 & 29 have been amended.
Claims 21-40 are currently pending in this application.

Status of Withdrawn Claim(s)

3. Claims 31-40 are withdrawn from further consideration pursuant to 37 CFR 1.142(b), as being drawn to a nonelected invention(s), there being no allowable generic or linking claim. Applicant timely traversed the restriction (election) requirement in the reply filed on 03/26/08.

Specification

4. The examiner has not checked the specification to the extent necessary to determine the presence of **all** possible minor errors (grammatical, typographical, and idiomatic). Cooperation

of the applicant(s) is requested in correcting any errors of which applicant(s) may become aware of in the specification, in the claims and in any further amendment(s) that applicant(s) may file.

Applicant(s) is also requested to complete the status of the copending applications referred to in the specification by their Attorney Docket Number or Application Serial Number, **if any**.

The status of the parent application(s) and/or any other application(s) cross-referenced to this application, **if any**, should be updated in a timely manner.

Claim Rejections - 35 USC § 102(a)/103

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 21-27 & 29 are rejected under 35 U.S.C. 102(a) as anticipated by or, in the alternative, under 35 U.S.C. 103(a) as obvious over Domesle et al., hereinafter referred to as “*Domesle ‘454’*”, (PG. Pub. No. US 2002/0004454 A1).

Domesle ‘454’ discloses a honeycomb body made of a ceramic material, having a cylindrical shape and having channels, etc. which channels are formed by channel walls ...

wherein the ceramic material of the cylindrical shell and of the channel walls is reinforced by depositing thereon therein at least one inorganic substance so as to increase the mechanical stability of said honeycomb (see page 3, claim 1). The inorganic substances can be those including alkaline metal silicate, such as sodium silicate (see page 2, paragraph [0015]).

Domesle '454 further discloses that it is also possible to apply fine-particle glazing material to the honeycomb substrate prior to application of the catalytically active coating, which glazing materials can be those including alumina (see page 2, paragraphs [0015] & [0016]). See also entire reference for further details.

The limitation on "the coating layer contains 90% by mass or more of alumina" is noted. It is considered that the disclosed honeycomb body material would contain the same amount of alumina and inherently met by the teaching of the reference since the disclosed honeycomb body material contains the same metal oxide components as in the instant claims.

Claim Rejections - 35 USC § 102(b)

6. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 21 & 25-29 are rejected under 35 U.S.C. 102(b) as being anticipated by Inoguchi et al., hereinafter referred to as "**Inoguchi '517**", (US Pat. 4,451,517).

Inoguchi '517 discloses a ceramic honeycomb catalyst support having a honeycomb structure with an activated alumina coating thereon, etc., said honeycomb structure formed of a

ceramic material and having a matrix of thin walls forming a multiplicity of open ended cells or passages defined by thin walls extending from one end of the honeycomb to the other end, the layer of the activated alumina is adhered onto the surfaces of said thin walls, etc. (see col. 6, claims 1-2). The honeycomb structure is formed of cordierite (see col. 6, claim 3).

The limitation on "the coating layer contains 90% by mass or more of alumina" is noted. It is considered that the disclosed honeycomb body material would contain the same amount of alumina and inherently met by the teaching of the reference since the disclosed honeycomb body material contains the same metal oxide components as in the instant claims.

Claim Rejections - 35 USC § 103

7. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 22-24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Inoguchi et al., hereinafter referred to as "***Inoguchi '517***", (US Pat. 4,451,517), as applied to claims 21 & 25-29 above, and further in view of Engels et al., hereinafter referred to as "***Engels '659***", (US Pat. 4,668,659).

Inoguchi '517 discloses ceramic honeycomb catalyst support as described above, except for the claimed limitations.

It would have been *prima facie obvious* to one of ordinary skill in the art at the time the invention was made to have modified the honeycomb catalyst support of ***Inoguchi '517*** by

adding an alkali metal silicate, such as sodium silicate to the coating layer because it is known and taught by *Engels '659* to use "alkali metal silicate" to form a molding composition in the channels of the honeycomb catalyst support material (see *Engels '659* at col. 1, ln 34-46).

Response to Applicants' Arguments

8. The remarks filed on 04/27/09 have been fully considered, but not deemed persuasive in view of the new ground of rejection(s) and/or objection(s) above.

Citations

9. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. All references are cited for related art. See PTO-892 Form prepared.

Conclusion

10. Claims 21-40 are pending. Claims 21-30 are rejected. Claims 31-40 are withdrawn due to nonelected (distinct) invention(s). No claims are allowed.

Contacts

11. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Primary Examiner CAM N. NGUYEN, whose telephone number is 571-272-1357. The examiner can normally be reached on M-F, 9:00 AM - 6:30 PM, at alternative work site.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Stanley Silverman, can be reached on 571-272-1358. The fax phone number for the organization where this application or proceeding is assigned is 571-272-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

/Cam N. Nguyen/

Primary Examiner

Art Unit: 1793

/C. N. N./

June 19, 2009